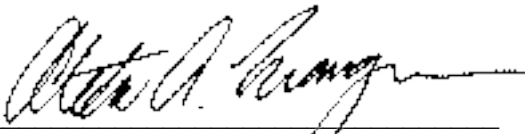


PHYLLIS LEWIS, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil No. 3:14-cv-0897  
 ) Judge Trauger  
 PAUL MILLER, Administrator, *et al.*, ) Magistrate Judge Knowles  
 )  
 Defendants. )

53), as the Clerk had instructed her to do in the Default Judgment awarded to her against Defendant Paul Miller on December 9, 2014 (Docket No. 46 at 1). Unfortunately, the plaintiff states in her Objection that she “thought she had 60 days to file a motion for fees and costs.” (Docket No. 71 at 2) In fact, pursuant to Local Rule 54.01(b)(1), her motion was to have been filed within 30 days from the entry of the default judgment. The Default Judgment was entered on December 9, 2014, but the Motion for Attorney’s Fees and Costs was not filed until January 20, 2015. As such, the motion is untimely, and the court finds no basis for excusing the plaintiff’s failure to comply with this deadline. For these reasons, the plaintiff’s objections are **OVERRULED**, and the Report and Recommendation is **ACCEPTED** as to its legal conclusion but not as to its discourteous rhetoric. The plaintiff’s Motion for Attorney’s Fees and Costs (Docket No. 53) is **DENIED**.

It is so **ORDERED**.

Enter this 6<sup>th</sup> day of August, 2015.



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ALETA A. TRAUGER  
U.S. District Judge